IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:10cv294

JAMES EARHART,)
Plaintiff,)
Vs.	ORDER
COUNTRYWIDE BANK, FSB,)
Defendant.)
)

THIS MATTER is before the court on periodic docket review. Review of the pleadings reveals that plaintiff has taken no action to move this case forward even though defendant's Answer or other responsive pleading was due August 25, 2010. Plaintiff, who is represented by counsel, is advised that he will have 14 days within which to seek default under Rule 55, Federal Rules of Civil Procedure, take a voluntary dismissal under Rule 41, or request other relief. Failure to take action may result in dismissal for failure to prosecute under Rule 41(b).

ORDER

IT IS, THEREFORE, ORDERED that plaintiff take action within 14 days as herein instructed.

Signed: March 28, 2011

Max O. Cogburn Jr. United States District Judge